

Message Text

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PAGE 01 ALGIER 01890 301339Z

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ACTION NEA-10

INFO OCT-01 ISO-00 EB-07 L-03 /021 W

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R 300918Z JUL 76

FM AMEMBASSY ALGIERS

TO USDOC WASHDC

INFO SECSTATE WASHDC 4950

UNCLAS ALGIERS 1890

E.O. 11652: N/A

TAGS: BDIS, AG

SUBJECT: TRADE DISPUTE: IMPERIAL COMMODITIES CORPORATION

1. EMBASSY HAS BEEN WORKING FOR SOME TIME TO ASSIST IMPERIAL COMMODITIES CORPORATION IN TRADE DISPUTE WITH OFFICE DES FRUITS ET LEGUMES D'ALGERIE (OFLA). FOLLOWING IS BRIEF BACKGROUND OF CASE AS PROVIDED BY IMPERIAL COMMODITIES.

2. ON MARCH 9 IMPERIAL RECEIVED TELEX ORDER FROM OFLA FOR 2,500 TONS OF U.S. POTATOES. ORDER WAS TRANSMITTED THROUGH AGENT JOSE SORIANO BALAGUER IN SPAIN. BASED ON TELEX CONFIRMATION, IMPERIAL PROCEEDED TO PURCHASE POTATOES AND LOADED THESE ON VESSEL IN MAINE. THEN APPARENTLY BECAUSE OF DIFFICULTIES IN ARRANGING NECESSARY LETTER OF CREDIT, OFLA CANCELLED ORDER, CLAIMING THAT IMPERIAL PRICE WAS UNSATISFACTORY. IMPERIAL WAS FORCED TO SELL POTATO CARGO AND IN TOTAL MAINTAINS THAT IT SUFFERED A LOSS OF \$213,000. IMPERIAL NOW PRESSING ITS CLAIM AGAINST OFLA.

3. EMBOFF VISITED OFLA OFFICE JULY 27 AND MET WITH MR. BELKIRENE, ACTING DIRECTOR GENERAL. BELKIRENE REFUSED TO SPEAK DIRECTLY TO EMBOFF (THROUGH MISUNDERSTANDING AT OFLA, HE ASSUMED HE WAS RECEIVING OFFICIAL OF PRIVATE COMPANY). BELKIRENE, HOWEVER, MADE IT CLEAR TO ACCOMPANYING COMMERCIAL ASSISTANT THAT OFLA DID NOT RECOGNIZE ANY CLAIM AGAINST IT BY IMPERIAL COMMODITIES. OFLA BELIEVES THAT ITS TRANSACTION WAS ENTIRELY WITH

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SPANISH AGENT BALAGUER. BELKIRENE FURTHER SAID THAT OFLA DID

NOT CONSIDER BALAGUER AS AN ORDINARY AGENT OR INTERMEDIARY
AND BELIEVED THAT IT HAD NO NEED TO DISCUSS BUSINESS
DISPUTE WITH ANYONE EXCEPT BALAGUER.

4. SUGGEST USDOC PASS ABOVE (PARAGRAPH 3) TO
RANDOLPH A. PROFETA, EXECUTIVE VICE PRESIDENT, IMPERIAL
COMMODITIES CORP., 120 WALL STREET, NEW YORK, N.Y. 10005.
EMBASSY BELIEVES THAT IT CAN PLAY NO FURTHER ROLE IN
ASSISTING IMPERIAL SINCE OFLA REFUSES TO ACKNOWLEDGE
IMPERIAL AS PARTY TO THE DISPUTE. EMBASSY SUGGESTS
THAT IMPERIAL MAY WISH SEND BALAGUER OF OFLA OFFICE IN
ALGIERS TO DISCUSS COMPENSATION FOR IMPERIAL'S LOSSES.
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